



DOCKET 13428PCTUS *IPW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: MCKEOWN *et al.* Examiner: To be assigned  
Serial No.: 10/632393 Group Art Unit: 1645  
Filed: August 01, 2003  
For: Methods and Compositions for Genotyping  
Customer No.: 23719

Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

October 18, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO/SB/08 A and B. Applicants do not admit that the references are "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such references. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information of which they are aware and believe relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

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**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Mark Daly*  
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*Mark Daly*  
(Printed Name of Person Signing Certificate)

*10/18/2005*  
(Date)

Applicant: MCKEOWN *et al.*  
Serial No.: 10/632,393  
Filed: August 01, 2003  
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October 18, 2005  
Page 2 of 3

#### I.U.S. PATENT DOCUMENTS

Patent No.	Date Issued	Title
5,811,235 to Jeffreys	September 22, 1998	Methods of Characterization
5,888,819 to Goelet <i>et al.</i>	March 30, 1999	Method for determining nucleotide identity through primer extension
6,004,744 to Goelet <i>et al.</i>	December 21, 1999	Method for determining nucleotide identity through primer extension of immobilized primer
6,013,431 to Soderlund <i>et al.</i>	January 11, 2000	Method for determining specific nucleotide variations by primer extension in the presence of mixture of labeled nucleotides and terminators

#### II. PATENT APPLICATION PUBLICATIONS

Patent Application Publication No.	Publication Date	Title
US 2004/0166506 A1 to McKeown	August 26, 2004	Methods of Composition for Genotyping
US 2004/0185439 A1 to Kalush et al.	September 23, 2004	Estrogen Receptor Beta Variants and Methods of Detection Thereof

#### III. FOREIGN PATENT DOCUMENTS

Publication No.	Country	Publication Date
EP 0416817 A2	EP	13 March 1991
EP 0416817 A3	EP	13 March 1991
EP 0416817 B1	EP	13 March 1991
GB 2252407 A	GB	05 August 1992
GB 2252407 B	GB	05 August 1992
WO93/25563 A1	WIPO	23 December 1993
WO 97/42345	WIPO	13 November 1997

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October 18, 2005  
Page 3 of 3

### III. NON PATENT PUBLICATIONS

Accession No. M12480, (1994) Humanapoliprotein B-100 mRNA.

Accession No. X53271, (1993) H. sapiens mRNA for ornithine decarboxylase.

Accession No. M86631, (2001) Homo sapiens (clone ST-18-5(9/16)) cystic fibrosis transmembrane conductance regulator (CFTR) gene, 3' end intron 17B; complete exon 18; complete intron 18.

Piggee, C.A. *et al.* (1997) "Capillary electrophoresis for the detection of known point mutations by single-nucleotide primer extension and laser-induced fluorescence detection," *Journal of Chromatography A*, 781:367-375.

Mangano, M.F. *et al.* (1999) "Composition dependent separation of oligonucleotides by capillary electrophoresis in acidic bufferes with applications to the quality control of synthetic oligonucleotides," *Journal of Chromatography A*, 848:435-442.

Applicants submit that no fee is due in connection with the filing of this Supplemental Information Disclosure Statement, since no action has been taken on the merits. If any additional fees are deemed due or any overpayment has been made please charge, or credit our Deposit Account No. 11-0171.

Respectfully submitted,

  
\_\_\_\_\_  
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**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

## Sheets

1

of

3

**Complete if Known**

Application Number	10/632,393
Filing Date	August, 01, 2003
First Named Inventor	MCKEOWN et al.
Art Unit	1645
Examiner Name	To be assigned
Attorney Docket Number	13428PCTUS

**U. S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		EP 0416817 A2	03-13-1991	Imperial Chemical		
		EP 0416817 A3	03-13-1991	Imperial Chemical		
		EP 0416817 B1	03-13-1991	Zeneca Limited		
		GB 2252407 A	08-05-1992	Imperial Chemical		
		GB 2252407 B	08-05-1992	Zeneca Limited		
		WO 93/25563 A1	12-23-1993	City of Hope		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**(Use as many sheets as necessary)**

Sheet

2

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3

**Application Number**

10/632 393

**Filing Date**

August 01 2003

**First Named Inventor**

McKEOWN *et al.*

### Art Unit

MORE

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**Examiner Name**

To be assigned

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## FOREIGN PATENT DOCUMENTS

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Translation is attached.  
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Substitute for form 1449/PTO				<b>Complete If Known</b>	
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Sheet	3	of	3	Filing Date	August, 01, 2003
				First Named Inventor	MCKEOWN et al.
				Art Unit	1645
				Examiner Name	To be assigned
				Attorney Docket Number	13428PCTUS

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Accession No. M12480, (1994) Humanapoliprotein B-100 mRNA.	
		Accession No. X53271, (1993) H. sapiens mRNA for ornithine decarboxylase.	
		Accession No. M86631, (2001) Homo sapiens (clone ST-18-5(9/16)) cystic fibrosis transmembrane conductance regulator (CFTR) gene, 3' end intron 17B; complete exon 18; complete intron 18.	
		Piggee, C.A. et al. (1997) "Capillary electrophoresis for the detection of known point mutations by single-nucleotide primer extension and laser-induced fluorescence detection," Journal of Chromatography A, 781:367-375.	
		Mangano, M.F. et al. (1999) "Composition dependent separation of oligonucleotides by capillary electrophoresis in acidic bufferes with applications to the quality control of synthetic oligonucleotides," Journal of Chromatography A., 848:435-442.	

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